

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

PHILLIP DOSKOCIL,

Plaintiff,

v.

COMMISSIONER, SOCIAL SECURITY,

Defendant.

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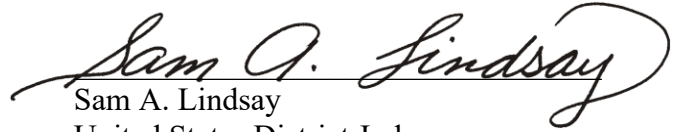
Civil Action No. **3:17-cv-2434-L**

**ORDER**

On June 11, 2020, United States Magistrate Judge Renée Toliver entered the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (“Report”) (Doc. 28), recommending that the court grant Plaintiff’s Motion for and Memorandum in Support of Award of Attorney Fees Under 406(b) of the Social Security Act (“Motion”) (Doc. 27), and award Plaintiff’s counsel attorney’s fees in the amount of \$12,000 pursuant to 42 U.S.C. § 406(b). She further notes that as Plaintiff’s counsel was previously awarded attorney’s fees under the Equal Access to Justice Act (“EAJA”), he must reimburse the smaller fee award to Plaintiff, which counsel has represented that he will do. *See* Doc. 27 at 12. No Objections to the Report were filed.

Having considered the Motion, file, record, and Report, the court determines that the findings and conclusions of the Magistrate Judge are correct, and **accepts** them as those of the court. Accordingly, the court **grants** Plaintiff’s Motion (Doc. 27); **awards** Plaintiff’s counsel, Michael Kelly, reasonable attorney’s fees in the amount of **\$12,000**, to be certified for payment out of Plaintiff’s past-due benefits under 42 U.S.C. § 406(b); **orders** the Commissioner to certify and disburse such amount from Plaintiff’s past-due benefits to Plaintiff’s counsel; and **directs** Plaintiff’s counsel to promptly return to Plaintiff the \$3,561.37 previously awarded under the EAJA.

**It is so ordered** this 21st day of July, 2020.

A handwritten signature in black ink that reads "Sam A. Lindsay". The signature is written in a cursive style with a large, sweeping flourish at the end of the word "Lindsay".

Sam A. Lindsay  
United States District Judge